

Notice 18 – Land Registry Network Services

Applications to enter a restriction in Form JJ and complete by registration a statutory charge which has arisen under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988

Notice given under Schedule 2 to the Land Registration Rules 2003

Interpretation

1. In this Notice—
 - (a) expressions used have, unless the contrary intention appears, the meaning which they bear in the Land Registration Rules 2003, as amended from time to time,
 - (b) “direct debit reference number” means the unique reference number issued by the land registry to a Subscriber,
 - (c) “full network access agreement” has the same meaning as in the Land Registration (Network Access) Rules 2008,
 - (d) “Land Registry Network” means the network provided under section 92(1) of the Land Registration Act 2002,
 - (e) subject to the note at the beginning of the Schedule, “Subscriber” means a person who has entered into a full network access agreement with the registrar which has neither been suspended nor determined.

Currency of notice

2. This Notice, which is made under rule 14 of, and Schedule 2 to, the Land Registration Rules 2003, shall be current for the purposes of Schedule 2 on and after 0630 hours on 25 January 2010 and replaces on that date the Notice of 1 June 2009 in respect of applications to enter a restriction in Form JJ, and complete by registration a statutory charge which has arisen under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988.

The delivery of applications through Land Registry Network Services

3. Arrangements have been made to use the Land Registry Network for dealing with electronic delivery of applications of the types specified in column 1 of the Schedule.

4. Column 2 of the Schedule lists against the relevant application any limitations on its delivery or on the type of application that can be made and any requirements specific to that application.
5. The delivery of all applications is subject to the provisions of paragraphs 6 to 11.

When applications may be delivered

6. Applications may be delivered only between—
 - (a) 0630 hours and 2200 hours on any Monday to Friday which is not Christmas Day, Good Friday or a day specified as or proclaimed to be a bank holiday in England and Wales in or under section 1 of the Banking and Financial Dealings Act 1971, and
 - (b) 0700 and 1700 on any Saturday which is not Christmas Day.

Who may deliver applications

7. Applications may only be delivered by a Subscriber who—
 - (a) has had the Land Registry Network made available to them by the registrar under clause 7 of the full network access agreement, and
 - (b) uses the procedure for doing so permitted by the Land Registry Network.
8. Applications listed in column 1 of the Schedule may only be delivered by a Subscriber who has entered into an agreement allowing payment of fees by direct debit as authorised under article 13(2) of the Land Registration Fee Order 2009 (or under any Order which supersedes it) and who provides, if requested, their direct debit reference number.

General limitations

9. Applications may not be made in respect of—
 - (a) more than one registered title in the same application,
 - (b) part only of a registered title,
 - (c) a title the registration of which is pending,
 - (d) a title the individual register of which is not held in electronic form,
 - (e) a title to a freehold estate in commonhold land,

- (f) a title to a profit a prendre in gross,
- (g) a title to a franchise,
- (h) a title which has been registered with a qualified title.

Particulars to be provided

10. Each applicant must provide on request—
- (a) such of the particulars set out in paragraph 11 as are required for an application of the type applied for, and
 - (b) any particulars specified in relation to such application in the second column of the Schedule.

General particulars

11. The particulars referred to in paragraph 10(a) are—
- (a) the title number of the property,
 - (b) when requested, confirmation of the address of the property,
 - (c) the nature of the application,
 - (d) confirmation that the application is being made on behalf of the Legal Services Commission,
 - (e) the name of the registered proprietor, or one of the registered proprietors, of the estate or the registered charge,
 - (f) the Legal Services Commission customer reference.

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Joe Timothy
Director of Legal Services
20 January 2010

Schedule

Note: In this Schedule a reference to the Subscriber includes a “User”, that is an individual who has been nominated by the Subscriber to use the Land Registry Network on its behalf.

Applications that may be delivered

Application	Specific limitations or requirements
<p>A. E-RX1 Applications to enter a restriction in Form JJ</p>	<ol style="list-style-type: none"> 1. Applications may only be made where— <ol style="list-style-type: none"> (a) the Legal Services Commission is the applicant, and (b) the applicant's funded client is a registered proprietor of the registered estate or registered charge to which the application relates. 2. The Subscriber must provide the following particulars— <ol style="list-style-type: none"> (a) whether the restriction applied for affects the registered estate or a registered charge, and if the latter, details of the charge, (b) confirmation that the applicant's funded client is a registered proprietor of the registered estate or registered charge, (c) the applicant's funded client reference to form part of the restriction, (d) a certificate in the form required by the system to the effect that a statutory charge under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988 on the beneficial interest of the applicant's funded client under a trust of land and affecting the registered estate or charge (as appropriate) has arisen. 3. Applications may not be made where— <ol style="list-style-type: none"> (a) the restriction affects only part of the registered estate or a registered charge, or (b) supporting documentary evidence would be required.
<p>B E-CST Applications to complete by registration a statutory charge which has arisen under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988.</p>	<ol style="list-style-type: none"> 1. Applications may only be made where— <ol style="list-style-type: none"> (a) the Legal Services Commission is the applicant, and (b) the applicant's funded client is a registered proprietor of the registered estate to which

	<p>the application relates.</p> <ol style="list-style-type: none"><li data-bbox="815 320 1469 853">2. The Subscriber must provide the following particulars—<ol style="list-style-type: none"><li data-bbox="903 412 1469 499">(a) confirmation that the applicant's funded client is a registered proprietor of the registered estate to which the application relates,<li data-bbox="903 533 1469 589">(b) select a fee band that relates to the value of the statutory charge,<li data-bbox="903 622 1469 656">(c) the applicant's funded client reference,<li data-bbox="903 678 1469 853">(d) a certificate in the form required by the system to the effect that a statutory charge under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988 affecting the registered estate has arisen.<li data-bbox="815 887 1469 1003">3. Applications may not be made where the application relates to a statutory sub-charge under section 10(7) of the Access to Justice Act 1999 or section 16(6) of the Legal Aid Act 1988.
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